

**Department of State
Division of Publications**

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Sequence Number: _____
Rule ID(s): _____
File Date: _____
Effective Date: _____

Proposed Rule(s) Filing Form

Proposed rules are submitted pursuant to T.C.A. §4-5-205 in lieu of a rulemaking hearing. It is the intent of the Agency to promulgate these rules without a rulemaking hearing unless a petition requesting such hearing is filed within thirty (30) days of the publication date of the issue of the Tennessee Administrative Register in which the proposed rules are published. To be effective, the petition must be filed with the Agency and be signed by twenty-five (25) persons who will be affected by the amendments, or submitted by a municipality which will be affected by the amendments, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

Agency/Board/Commission:	Department of Finance and Administration
Division:	Administration Division
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Revision Type (check all that apply):

☒ Amendment
☐ New
☐ Repeal

Rule(s) Revised (for additional chapters, copy and paste table)

Chapter Number	Chapter Title
0620-03-10	Access to Public Records of the Department of Finance and Administration
Rule Number	Rule Title
0620-03-10-.03	Age Requirement
0620-03-10-.04	Disability Requirement

(Place substance of rules and other info here. Statutory authority must be given for each rule change. For information on formatting rules go to <http://state.tn.us/sos/rules/1360/1360.htm>)

Chapter 0620-03-10
Access to Public records of the Department of Finance and Administration

Amendments

Rule 0620-03-10-.03 Age Requirement, paragraph (3), subparagraph (c), part 7 is amended by deleting the present language in its entirety and replacing it with the following:

7. After good faith review, unforeseen technical, physical, or personnel problems preclude immediate availability of these records for inspection; provided that any reason offered under this part 7 shall not be inconsistent with the Public Records Act.

Authority: T.C.A. §§ 4-5-201 et seq.; §§ 4-3-1001et seq.; §§ 10-7-503 and 10-7-506; Tennessean v. Electric Power Board of Nashville, 979 S.W.2d 297 (Tenn. 1998); Op. Tenn. Atty. Gen. 01-021 (Feb. 8, 2001).

Rule 0620-03-10-.04 Disability Requirement, paragraph (3), subparagraph (c), part 7. is amended by deleting the present language in its entirety and replacing it with the following:

7. After good faith review, unforeseen technical, physical, or personnel problems preclude immediate production of these records, provided that any reason offered under this part 7 shall not be inconsistent with the Public Records Act.

Authority: T.C.A. §§ 4-5-201 et seq.; §§ 4-3-1001et seq.; §§ 10-7-503 and 10-7-506; Tennessean v. Electric Power Board of Nashville, 979 S.W.2d 297 (Tenn. 1998); Op. Tenn. Atty. Gen. 01-021 (Feb. 8, 2001).

If a roll-call vote was necessary, the vote by the Agency on these rulemaking hearing rules was as follows:

Board Member	Aye	No	Abstain	Absent	Signature (if required)
(If applicable)					

I certify that this is an accurate and complete copy of rulemaking hearing rules, lawfully promulgated and adopted by the _____ (If applicable) _____ (board/commission/other authority) on (date as mm/dd/yyyy), and is in compliance with the provisions of TCA 4-5-222. The Secretary of State is hereby instructed that, in the absence of a petition for rulemaking hearing being filed under the conditions set out herein and in the locations described, he is to treat the proposed rules as being placed on file in his office as rules at the expiration of thirty (30) days after the publication date of the issue of the Tennessee Administrative Register in which these proposed rules are published.

Date: 05/23/08

Signature: _____

Name of Officer: M.D.Goetz, Jr.

Title of Officer: Commissioner of Department of Finance and
Adminstration

Subscribed and sworn to before me on: _____

Notary Public Signature: _____

My commission expires on: _____

All proposed rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

Robert E. Cooper, Jr.
Attorney General

Date

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Filed with the Department of State on: _____

Effective on: _____

Riley C. Darnell
Secretary of State

Regulatory Flexibility Addendum

Pursuant to Public Chapter 464 of the 105th General Assembly, prior to initiating the rule making process as described in § 4-5-202(a)(3) and § 4-5-202(a), all agencies shall conduct a review of whether a proposed rule or rule affects small businesses.

(If applicable, insert Regulatory Flexibility Addendum here)

Additional Information Required

All agencies, upon filing a rule, must also submit the following pursuant to TCA 4-5-226(i)(1).

- (A)** A brief summary of the rule and a description of all relevant changes in previous regulations effectuated by such rule;
- (B)** A citation to and brief description of any federal law or regulation or any state law or regulation mandating promulgation of such rule or establishing guidelines relevant thereto;
- (C)** Identification of persons, organizations, corporations or governmental entities most directly affected by this rule, and whether those persons, organizations, corporations or governmental entities urge adoption or rejection of this rule;
- (D)** Identification of any opinions of the attorney general and reporter or any judicial ruling that directly relates to the rule;
- (E)** An estimate of the probable increase or decrease in state and local government revenues and expenditures, if any, resulting from the promulgation of this rule, and assumptions and reasoning upon which the estimate is based. An agency shall not state that the fiscal impact is minimal if the fiscal impact is more than two percent (2%) of the agency's annual budget or five hundred thousand dollars (\$500,000), whichever is less;
- (F)** Identification of the appropriate agency representative or representatives, possessing substantial knowledge and understanding of the rule;
- (G)** Identification of the appropriate agency representative or representatives who will explain the rule at a scheduled meeting of the committees;
- (H)** Office address and telephone number of the agency representative or representatives who will explain the rule at a scheduled meeting of the committees; and
- (I)** Any additional information relevant to the rule proposed for continuation that the committee requests.